

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TOBY R. ERHART,

Petitioner,

v.

PATRICK GLEBE,

Respondent.

CASE NO. C15-5901 BHS-KLS

ORDER DECLINING TO ADOPT
REPORT AND
RECOMMENDATION AS MOOT

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 5), recommending that Petitioner’s application to proceed in forma pauperis be denied. The Court having considered the R&R and the remaining record, does hereby find and order as follows:

On January 22, 2016, after the R&R had been issued, Petitioner paid the \$5.00 filing fee; therefore, the R&R is moot. Petitioner’s application to proceed in forma pauperis is DENIED, and his habeas corpus action shall proceed.

Dated this 26th day of January, 2016.



BENJAMIN H. SETTLE
United States District Judge